

Amendment Under 37 C.F.R. § 1.111
USSN 10/810,606
Attorney Docket Q80770
June 7, 2005

REMARKS

Claims 22-32 are all the claims pending in the application.

In the last Office Action it was pointed out that Claims 1-12 and 18 were directed to a first species and Claims 13-17 and 19-21 were directed to a second species. Applicant was required to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. A provisional election was made without traverse by telephone prior to the examination of the case wherein the species of Figure 1 and Claims 1-12 and 18 was elected. Applicant hereby confirms the telephone election.

In the last Office Action the specification was objected to because of errors in the "ABSTRACT". The Abstract has been amended to correct these errors.

The present invention is directed to a laundry machine which could be a washer or a dryer wherein the bottom wall of the cabinet is provided with upper and lower substantially horizontal portions vertically and horizontally spaced apart and interconnected by a substantially vertically portion which defines a recess in communication with an opening in the front wall of the laundry machine cabinet. The provision of such a bi-level bottom wall is not shown or suggested by any of the references of record. New Claim 22 is considered generic to both species and the remaining claims directed to the two species are all dependent either directly or indirectly from Claim 22.

The patent to Fragaria (DE 94 19 048) discloses a number of embodiments where a conventional front loading washing machine is mounted on a separate base member having an

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opening for receiving a slidable container. There is no disclosure of a bottom wall of any type for the washing machine much less a bi-level base member as called for in new Claim 22. The bi-level bottom wall as defined in the newly submitted claims not only provides a recess for receiving a container but also provides for additional working space within the housing of the cabinet which would not be provided with a flat wall. Therefore, new Claims 22-32 are clearly patentable over the teachings of Fragaria.

The patent to Fumagalli (EP 12 33 100 A1) is also directed to a laundry machine having a removable container. The washing machine is comprised of a top compartment 2 and a bottom compartment 3 wherein the horizontal wall covering the bottom compartment appears to be completely flat in the various views and there is absolutely no suggestion whatsoever of the bi-level bottom wall as specifically defined in the newly submitted claims.

The patent to Mayer (EP 12 05 129) is directed to a completely separate base element upon which a standard washing machine may be mounted.

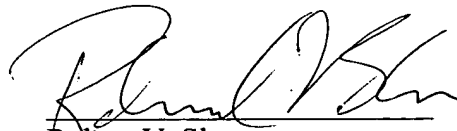
In view of the foregoing analysis it is believed to be clear that new independent generic Claims 22 as well Claims 23-32 which are dependent therefrom are clearly allowable over the references of record and it is respectfully requested that these claims be allowed and the application passed to issue forthwith.

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In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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